

JANUARY 30, 2001

This matter comes before the Public Service Commission of South Carolina (the Commission) on Application of Contract Labor Moving & Transport, Inc. (Contract Labor or the Company), 203-C Old Salem Road, Seneca, SC 29678 for a Class E Certificate of Public Convenience and Necessity to transport commodities as follows:

Between points and places in South Carolina

A hearing was held on this matter on January 11, 2001 at 2:30 PM in the offices of the Commission. The Honorable William Saunders, Chairman, presided. Benjamin Robinson, President of Contract Labor, appeared for the Company. F. David Butler,

General Counsel, represented the Commission Staff. We waive the necessity of the use of shipper witnesses to show public convenience and necessity as presently required by Regulation 103-133, since the Applicant is requesting authority in only three contiguous counties. This is consistent with our prior ruling on this topic.

Benjamin Robinson testified that as a former fireman in a rural county, he was often called upon to move furniture. Robinson noted that he gained valuable experience from carrying out this function as a part of his fireman's duties. Robinson noted that he owns a 1992 Ford F8000 for moving purposes, which is fully insured. Robinson will make this truck available for inspection, if appropriate, by the South Carolina Department of Public Safety. According to Robinson, there are no judgments against his Company. Robinson also stated that he is the only mover in Oconee and Pickens Counties, and one of the few in Anderson County, and that he receives calls from individuals wanting his company to move their household goods. Mr. Robinson states a belief that the public in the three counties would likely prefer a local mover, rather than having to go to the larger cities to obtain one when needed.

S.C. Code Ann. Section 58-23-590(C) (Supp. 2000) states that the Commission shall issue a common carrier certificate of public convenience and necessity if the applicant proves to the Commission that: (1) it is fit, willing, and able to properly perform the proposed service and comply with the provisions of this chapter and the Commission's regulations and (2) the proposed service, to the extent to be authorized by the certificate or permit, is required by the present public convenience and necessity.

Upon consideration of this matter, we find that the Applicant Contract Labor has demonstrated that it is fit, willing, and able to perform the services sought by the amended Application. The testimony of Mr. Robinson reveals that Contract Labor is fit, willing, and able under the standards contained in the applicable statute. Further, Mr. Robinson has shown that the public convenience and necessity requires the service proposed by him.

Based upon the record before the Commission and the statutory requirements, along with the guidelines contained in the Commission's regulations, we find sufficient evidence to grant the amended Application, and therefore the requested authority, as amended, to Contract Labor Moving & Transport, Inc. We grant Contract Labor a Class E Certificate of Public Convenience and Necessity for the movement of household goods between points and places in Oconee, Pickens, and Anderson Counties. The grant of authority is contingent upon compliance with all Commission regulations as outlined below.

IT IS THEREFORE ORDERED THAT:

1. The amended application of Contract Labor & Transport, Inc. for a Class E Certificate of Public Convenience and Necessity be, and hereby is, approved for authority to transport household goods between points and places in Oconee, Pickens, and Anderson Counties, South Carolina.
2. That the Applicant file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R. 103-100 through 103-241 of the Commission's Rules and Regulations for Motor Carriers,

S.C. Code Ann. Vol. 26 (1976), as amended, and R. 38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as amended within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

3. That upon compliance with S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, a certificate shall be issued to the Applicant authorizing the motor carrier service granted herein.

4. That prior to compliance with such requirements and receipt of a certificate, the motor carrier services authorized herein may not be provided.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)